

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--|---|------------------------------------|
| LIVIA M. SCOTTO, <i>et al.</i>, | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | CIVIL ACTION NO. 22-CV-1176 |
| | : | |
| CREDIT SUISSE, <i>et al.</i>, | : | |
| Defendants. | : | |

ORDER

AND NOW, this 3rd day of May, 2022, Plaintiff Livia M. Scotto having filed a Complaint with the Court without either paying the fees to commence a civil action or filing a motion to proceed *in forma pauperis* and for the reasons set forth in the Memorandum accompanying this Order, it is **ORDERED** that:

1. Scotto's Complaint (ECF No. 1) and her Amended Complaint (ECF 6) are **DISMISSED WITHOUT PREJUDICE**.
2. Scotto's pending motions (ECF No. 3 and 4) are **DENIED WITHOUT PREJUDICE** as moot.
3. If Ms. Scotto seeks to proceed with this case, she **must**, within thirty (30) days of the date of this Order, either (1) pay \$402 (the \$350 filing fee and \$52 administrative fee) to the Clerk of Court, or (2) file a motion for leave to proceed *in forma pauperis*.
4. Scotto can obtain an appropriate non-prisoner application to proceed *in forma pauperis* on the Court's website at <http://www.paed.uscourts.gov/documents/forms/ifpl.pdf>. Scotto may use this form to seek leave to proceed *in forma pauperis* if she cannot afford to pay the fees to commence this case.

5. Additionally, if Scotto seeks to proceed with this case, she **must**, within thirty (30) days of the date of this Order, file a proper amended complaint. Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Scotto's claims against each defendant. The amended complaint shall be a complete document that does not rely on the initial Complaint or other papers filed in this case to state a claim. When drafting her amended complaint, Scotto is strongly encouraged to utilize this Court's current standard form to be used by a self-represented litigant filing a civil action which she can obtain on the Court's website at: <http://www.paed.uscourts.gov/documents2/forms/forms-pro-se>. Scotto should be mindful of the Court's reasons directing her to file an amended complaint as explained in the Court's Memorandum. Scotto should also be mindful of the Court's understanding of her prior litigation history. As set forth in the Court's Memorandum, Scotto is advised that continued abuse of the judicial process may result in the imposition of a filing injunction or other appropriate restrictions on her access to filing, including, but not limited to, prohibiting Scotto from filing documents with the Clerk of Court via email and requiring her to file by mail only.

6. The Clerk of Court is **DIRECTED** to send Scotto a copy of (1) the non-prisoner application to proceed *in forma pauperis* and (2) the Court's current standard form to be used by a self-represented litigant filing a civil action.

7. If Plaintiffs Carmela A. Sciabarra, Angel V. Scotto Sciabarra, and Marley V. Scotto – Sciabarra wish to join this lawsuit, they are *each* **DIRECTED** to: (1) sign any amended complaint Scotto may submit; **and** (2) file individual motions for leave to proceed *in forma pauperis*.

8. Upon the filing of an amended complaint by Scotto, the Clerk shall not make service until so **ORDERED** by the Court.

9. If Ms. Scotto fails to comply with this Order, her case may be dismissed without further notice for failure to prosecute.

BY THE COURT:

/s/ Gerald Austin McHugh

GERALD A. MCHUGH, J.